UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *11 March 2008*.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-6,8-11,13-16 and 18-20* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-6,8-11,13-16 and 18-20* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This office action is responsive to amendment filed on 03/11/2008.

Response to Amendment

The examiner has acknowledged the amended claims 1-3, 6, 8-11, 13-16 and 18-20, and the cancelled claims 7, 12, 17. The amended claim 15 overcomes the 101 rejection. The 101 rejections on claims 15 and 17 are withdrawn accordingly.

Response to Arguments

Applicant's arguments, see page 9 second paragraph, with respect to the information included in the response does not include an identification of the network operator providing services to the destination number, is not persuasive. The reference to De Beer is directed to receiving a response containing information related to the destination number and network operator identification. As shown in Fig. 6 of De Beer, the response message includes routing data 62. De Beer further discloses that the routing data may comprise a prefix code to be added to the input telephone number stored in the buffer memory 90 by the processor 30 (paragraph 0056). As well known in the telecommunication art, a prefix code represents some kind of network operator identification (e.g. the prefix code "10-10-345" is offered by AT&T and is an identification of AT&T).

In view of the foregoing, it is evident that the reference to De Beer clearly provides for the claimed limitation of "receiving a response from said network serving entity, said response comprising network information identifying one or more network operators providing services to said one or more telephone numbers."

Thus, in view of such, the rejection is sustained as follows:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29,

2000. Therefore, the prior art date of the reference is determined under 35 U.S.C.

102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-4, 6, 8-11, 13-16, and18-20 are rejected under 35 U.S.C. 102(e) as

being anticipated by De Beer (2003/0165227, hereinafter De Beer).

Regarding claim 1, De Beer discloses a method comprising:

coding a request comprising one or more telephone numbers [para. 52,

step 43, generates a request message in the SMS format];

transmitting said request to a network serving entity for performing said

network information retrieval [para. 53, step 45];

receiving a response from said network serving entity, said response

comprising network information identifying one or more network operators

providing services to said one or more telephone numbers [para. 0054, updating

information and service provider; para. 0055, step 47; para. 0056, "the routing

data may comprise a prefix code to be added to the input telephone number

stored in the buffer memory 90 by the processor 30"];

decoding said response to extract said network information [para. 0055,

lines 1-6]; and

storing said network information in conjunction with said one or more

telephone numbers [para. 0055, step 48].

Regarding claim 2, De Beer discloses a method according to claim 1, wherein

the response is structured into at least one information record, said information

record includes one telephone number of said one or more telephone numbers

and a network operator providing services to said one telephone number [FIG. 6

and para. 0054].

Regarding claim 3, De Beer discloses a method according to claim 1, further

comprising:

selecting said one or more telephone numbers from a plurality of

telephone numbers stored in a telephone directory of a communication terminal

[para. 0123, phonebook].

Regarding claim 4, De Beer discloses a method according to claim 3, wherein

said selecting is performed manually by a user of said communication terminal

[para. 0052].

Regarding claim 6, De Beer discloses a method according to claim 2, wherein storing said network information comprises:

identifying at least one telephone directory entry in a telephone directory of a communication terminal on the basis of said one telephone number that is included in said information record [para. 0057];

storing said network information by including said network information into said at least one identified telephone directory entry [para. 0055, step 48].

Regarding claim 8, De Beer discloses a method according to claim 1, wherein said network information further comprises charging information [para. 0004, updating information and charging rate].

Regarding claim 9, De Beer discloses a method comprising:

receiving a request from a communication terminal, wherein said request comprises one or more telephone numbers [para. 0054, note that "the control center responds by sending a response message to the mobile" implies that it has received a request from the mobile.];

decoding said request to extract said one or more telephone numbers [para. 0053, note that the mobile sending the request message in SMS format to the control center implies the message must be decoded by the control center];

retrieving network information identifying one or more network operators providing services to said one or more telephone numbers [FIG. 2 and para. 0038, the control center 7 and the database 10; para. 0054, updating information and service provider];

coding a response which comprises said retrieved network information

[para. 0055, note that decoding the response message from the control center

implies coding the response message by the control center]; and

transmitting said response to said communication terminal [para. 0054,

step 46].

Regarding claim 10, De Beer discloses a method according to claim 9,

wherein retrieving network information comprises accessing a data storage which

stores network information identifying one or more network operators providing

services to a plurality of telephone numbers [FIG. 2 and para. 0038, the control

center 7 and the database 10].

Regarding claim 11, De Beer discloses a method according to claim 9,

wherein said response is structured into at least one information record including

one telephone number of said one or more telephone numbers and a network

operator providing services to said one telephone number [para. 0055, note that

decoding the response message from the control center implies coding the

response message by the control center].

Regarding claim 13, De Beer discloses a method according to claim 9,

wherein said network information further comprises charging information [para.

0004, updating information and charging rate].

Regarding claim 14, De Beer discloses a method comprising:

coding a request, which comprises one or more telephone numbers, in a

communication terminal [para. 52, step 43, generates a request message in the

SMS format];

transmitting said request to a network serving entity for performing a

network information retrieval [para. 53, step 45];

receiving said request by the network serving entity [para. 0054, note that

"the control center responds by sending a response message to the mobile"

implies that it has received a request from the mobile.];

decoding said request in said network serving entity to extract said one or

more telephone numbers [para. 0053, note that the mobile sending the request

message in SMS format to the control center implies the message must be

decoded by the control center];

retrieving network information identifying one or more network operators

providing services to said one or more telephone numbers [para. 0056, "the

routing data may comprise a prefix code to be added to the input telephone

number stored in the buffer memory 90 by the processor 30"];

coding a response, which comprises said retrieved network information, in

said network serving entity [para. 0055, note that decoding the response

message from the control center implies coding the response message by the

control center];

transmitting said response to said communication terminal [para. 0054,

step 46];

receiving said response by said communication terminal [para. 0054,

updating information and service provider; para. 0055, step 47; para. 0056, "the

routing data may comprise a prefix code to be added to the input telephone

number stored in the buffer memory 90 by the processor 30"];

decoding said response in said communication terminal to extract said

network information [para. 0055, lines 1-6]; and

storing said network information in conjunction with said one or more

telephone numbers [para. 0055, step 48].

Regarding claim 15, De Beer discloses a Computer program product

comprising a computer readable storage medium storing program code sections

thereon for carrying out the operations of claim 1, wherein said program product

is used by a microprocessor based component, a processing device, a terminal

device, a communication terminal device, a serving device or a networked device

[see claim 1].

Regarding claim 16, De Beer discloses a Computer program product

comprising program code sections stored on a computer readable medium for

carrying out the method of claim 9, when said computer program product is

executed on a microprocessor based component, a processing device, a terminal

device, a communication terminal device, a serving device or a networked device

[see claim 9].

Regarding claim 18, De Beer discloses Communication terminal, comprising:

a coding component of a central processing unit for coding a request

which includes one or more telephone numbers [para. 52, step 43, generates a

request message in the SMS format];

a communication interface for transmitting said request and for receiving a

response in accordance with said request [para. 53, step 45];

a decoding component of the central processing unit for decoding said

response; wherein said response comprises network information identifying one

or more network operators providing services to said one or more telephone

numbers [para. 0055, lines 1-6]; and

a data storage for storing said network information in a telephone directory

of said communication terminal; wherein said network information is stored in

conjunction with said one or more telephone numbers [para. 0055, step 48].

Regarding claim 19, De Beer discloses Network serving entity, comprising:

a communication interface for receiving a request from a communication

terminal and for transmitting a response to said communication terminal;

a decoding component for decoding said request which includes one or more

telephone numbers [para. 0054, note that "the control center responds by

sending a response message to the mobile" implies that it has received a request

from the mobile.];

a retrieving component for retrieving network information identifying one or more network operators providing services to said one or more telephone numbers [para. 0056, "the routing data may comprise a prefix code to be added to the input telephone number stored in the buffer memory 90 by the processor 30"]; and

a coding component for coding said response which comprises said retrieved network information [para. 0055, note that decoding the response message from the control center implies coding the response message by the control center].

Regarding claim 20, De Beer discloses System comprising at least one communication terminal and at least one network serving entity, wherein said at least one communication terminal comprises:

a coding component of a central processing unit for coding a request which includes one or more telephone numbers [para. 52, step 43, generates a request message in the SMS format];

a communication interface for transmitting said request to said network serving entity and for receiving a response in accordance with said request from said network serving entity [para. 53];

a decoding component of the central processing unit for decoding said response-wherein said response comprises network information identifying one

or more network operators providing services to said one or more telephone numbers [para. 0055, lines 1-6]; and

a data storage for storing said network information in a telephone directory of said communication terminal; wherein said network information is stored in conjunction with said one or more telephone numbers [para. 0123, phonebook]; and wherein said at least one network serving entity comprises:

a communication interface for receiving a request from said communication terminal and for transmitting a response to said communication terminal [para. 0054, note that "the control center responds by sending a response message to the mobile" implies that it has received a request from the mobile.];

a decoding component for decoding said request which includes one or more telephone numbers [para. 0053, note that the mobile sending the request message in SMS format to the control center implies the message must be decoded by the control center];

a retrieval component for retrieving network information identifying one or more network operators providing services to said one or more telephone numbers [para. 0056, "the routing data may comprise a prefix code to be added to the input telephone number stored in the buffer memory 90 by the processor 30"]; and

a coding component for coding said response which comprises said retrieved network information [para. 0055, note that decoding the response

message from the control center implies coding the response message by the

control center].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to
> a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over De Beer

as applied to claim 3, and in view of Tomiyori (US 5,305,372, hereinafter Tomiyori).

Regarding claim 5, De Beer discloses a method according to claim 3, but

silent about wherein said selecting is performed automatically in accordance with

a pre-defined selection definition. However, Tomiyori teaches a speed dialing

memory storing a plurality of destination address numbers corresponding to user-

defined speed dialing codes [col. 1, lines 44-50 and col. 2, lines 61-68]. It would

have been obvious to a person with ordinary skill in the art at the time the

invention was made to incorporate Tomiyori's teaching into De Beer's method for

the purpose of speed dialing by a pre-defined selection definition, thereby

providing a more user friendly service.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Examiner's Note: Examiner has cited particular columns and line numbers in

the references applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are

applied to specific limitations within the individual claim, other passages and figures

may apply as well. It is respectfully requested from the applicant in preparing

responses, to fully consider the references in entirety as potentially teaching all or part

of the claimed invention, as well as the context of the passage as taught by the prior art

or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully

requested to indicate the portion(s) of the specification which dictate(s) the structure

relied on for proper interpretation and also to verify and ascertain the metes and bounds

of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Lai whose telephone number is (571) 270-3236. The examiner can normally be reached on M-F 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael C. Lai
20JUN2008

/Yves Dalencourt/
Primary Examiner, Art Unit 2157